

South Australia

## **Environment Protection (Water Quality) Policy 2012**

under the *Environment Protection Act 1993*

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### Part 1—Preliminary

#### 1—Short title

This policy may be cited as the *Environment Protection (Water Quality) Policy 2012*.

#### 2—Commencement

This policy will come into operation on a day to be fixed by the Governor by notice in the Gazette.

#### 3—Interpretation

(1) In this policy, unless the contrary intention appears—

***abattoir, slaughter house or poultry processing works*** means premises used for the slaughter of animals and the production of meat or meat products for human or animal consumption;

***Act*** means the *Environment Protection Act 1993*;

***antifoulant*** means any chemical substance designed for application to water submerged surfaces to inhibit the growth of plants, animals or other organisms on those surfaces;

***ANZECC*** means the Australian and New Zealand Environment and Conservation Council;

***applicable codes and guidelines***—see Schedule 1;

***aquaculture lease*** has the same meaning as in the *Aquaculture Act 2001*;

***aquaculture licence*** has the same meaning as in the *Aquaculture Act 2001*;

***ARMCANZ*** means the Agriculture Resource Management Council of Australia and New Zealand;

***blackwater*** means—

- (a) human waste, either alone or in combination with water; or
- (b) any other wastewater generated by cleaning a toilet;

***cattle feedlot*** means a confined yard or area in which cattle are held and are fed principally by mechanical means or by hand;

***cavity in land*** includes a bore, mine shaft, well, infiltration basin and other similar structure and a naturally occurring sinkhole;

***class 1 pollutant*** means a pollutant listed in Schedule 2;

***class 2 pollutant*** means a pollutant listed in Schedule 3;

***community wastewater management system*** means a system for the collection and management of wastewater generated in a town, regional area or other community, but does not include the undertaking;

**composting works** means premises used for the production of compost;

**concentrated blackwater**—see subclause (2);

**concrete batching works** means premises used for the production of concrete or concrete products by the mixing of cement, sand, rock, aggregate or other similar materials;

**contaminated stormwater** means stormwater that is contaminated by a class 1 pollutant, a class 2 pollutant or any material that could be reasonably prevented from entering the pipes, gutters and other channels used to collect and convey the stormwater;

**Coorong** means that area of water separated from the Lower Murray, and from Lake Alexandrina, by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitche Barrages, and separated from the ocean by Sir Richard Peninsula and Youngusband Peninsula, and by the geodesic from the location on Mean High Water Springs closest to the mouth of the River Murray on the northern side of the headland of Sir Richard Peninsula to the location on Mean High Water Springs closest to the northern side of the headland of Youngusband Peninsula;

**discharge waste or a pollutant** includes deposit the waste or pollutant and dispose of the waste or pollutant;

**discharge waste or a pollutant into waters or onto land**—see subclause (3);

**environmental value of waters**—see clause 4;

**extractive industry** means operations involving extraction, or extraction and processing (by crushing, grinding, milling or separating into different sizes by sieving, air elutriation or in any other manner), of sand, gravel, stone, shell, shale, clay or soil, but does not include dredging or the removal of sand from a beach;

**fish processing works** means premises used for the purposes of scaling, gilling, gutting, filleting, freezing, chilling, packing or otherwise processing fish for sale other than the processing of fish only in the course of a business of selling fish by retail;

**greywater** means wastewater generated by washing, laundering, bathing or showering;

**harbor** has the same meaning as in the *Harbors and Navigation Act 1993*;

**hazardous waste** means listed waste having a characteristic described in Schedule A list 2 of the *National Environment Protection (Movement of controlled waste between States and Territories) Measure*, as in force from time to time;

**inland waters** means waters of the State other than marine waters;

**listed waste** means waste of a kind specified in Schedule 1 Part B of the Act;

**livestock saleyard** means a commercial yard at which cattle, sheep or other animals are gathered or confined for the purposes of their sale, auction or exchange, and includes associated transport loading facilities;

**mandatory provision**—see subclause (4);

**marina** means a boat basin for the mooring, berthing, securing or other storage of 2 or more vessels;

**MAR scheme** means a scheme in which water is injected or otherwise purposely transferred into an aquifer for the purpose of environmental benefit or storage and subsequent recovery;

**Note—**

MAR stands for Managed Aquifer Recharge.

**medical sharp** means an object or device that has been discarded in the course of medical, dental or veterinary practice or research and has a sharp point, protuberance or cutting edge that is capable of causing a penetrating injury to humans, and includes (but is not limited to) needles, hypodermic needles, syringes with needles or any other surgical instruments;

**medical waste** means waste consisting of—

- (a) medical sharps; or
- (b) human tissue, bone, organ, body part or foetus; or
- (c) a vessel, bag or tube containing a liquid body substance; or
- (d) an animal carcass discarded in the course of veterinary or medical practice or research; or
- (e) a specimen or culture discarded in the course of medical, dental or veterinary practice or research and any material that has come into contact with such a specimen or culture; or
- (f) any other article or matter that is discarded in the course of medical, dental or veterinary practice or research and that poses a significant risk to the health of a person who comes into contact with it;

**milking shed** means a structure, whether roofed or not, at which operations for the milking of animals are carried on, including any associated yard areas in which animals are confined prior to or following milking;

**milk processing works** means premises used for the purposes of separating, evaporating or otherwise processing milk for the manufacture of evaporated or condensed milk, cheese, butter, ice cream or other similar dairy products;

**Murray Mouth** means the Coorong and coastal waters that are within 500 metres of a line joining the locations on Mean High Water Springs closest to 35°33'18.69" South, 138°52'45.87" East (northern side of the headland of Sir Richard Peninsula) and 35°33'21.95" South, 138°52'53.34" East (northern side of the headland of Younghusband Peninsula);

**piggery** means premises consisting of confined or roofed structures used for the purposes of the keeping or husbandry of pigs;

**premises**, in relation to a fish processing works, includes a vessel;

**prescribed vessel** means a vessel—

- (a) of or above 400 gross tonnage engaged in international shipping; or
- (b) authorised to carry more than 15 persons;

**prescribed waters** means—

- (a) waters of the River Murray and its tributaries; or

- (b) waters of Lake George; or
- (c) waters of the Coorong above the Murray Mouth; or
- (d) waters of Lake Albert and Lake Alexandrina downstream from the punt that services the main road joining the township of Wellington to the township of Wellington East near 35°19'52.53" South, 139°23'04.30" East, and separated from the Coorong by land and by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitchere Barrages, and includes those waters of the Finnis River and Currency Creek situated upstream from Lake Alexandrina to the first road bridge by which they are crossed;

**public stormwater system** means any equipment or infrastructure for collecting, treating or conveying stormwater for the purposes of stormwater management, or flood mitigation, conducted by a public authority, and includes catchment management equipment and infrastructure;

**salt interception scheme** means a scheme conducted by a public authority involving pumping and drainage of underground waters for the purpose of intercepting and avoiding saline water flows into those waters;

**septic system** means a system used on premises for the on-site collection, treatment and disposal of sewage generated at the premises, and includes a septic tank;

**sewerage system** means—

- (a) the undertaking; or
- (b) a community wastewater management system;

**sinkhole** means a surface depression caused by a collapse of soil or overlying formation above fractured or cavernous bedrock;

**stormwater** means rain or melted precipitation that runs off land or structures on land;

**surface waters** means waters other than underground waters;

**tannery or fellmongery** means premises used for the commercial preservation or treatment of animal skins or hides other than premises used for—

- (a) the processing of skins or hides by primary producers in the course of primary production activities outside township areas; or
- (b) the processing of skins or hides in the course of taxidermy;

**trigger value**—see clause 5;

**underground waters** means waters occurring naturally under the ground or introduced to an aquifer or other area under the ground;

**undertaking** has the same meaning as in the *Sewerage Act 1929*;

**vessel** means a boat, yacht, ship or other vessel capable of floating and being used on water;

**vessel facility** means a facility for the mooring, berthing, securing, storage, construction, repair or maintenance of a vessel and includes a marina, pontoon, jetty, wharf, boat ramp, slipway and boat yard;

**waste** has the same meaning as in the Act, and includes wastewater;

**waste depot** means premises used for the reception, storage, treatment or disposal of waste, and includes a landfill depot;

**waste management hierarchy**—see clause 6;

**wastewater** means waste principally consisting of water, and includes wash down water, cooling water, effluent, irrigation runoff and contaminated stormwater;

**wastewater lagoon** means—

- (a) a sedimentation or detention basin; or
- (b) an artificial wetland; or
- (c) a leachate pond (containing leachate from composting or landfill works); or
- (d) a tailings dam; or
- (e) any other dam, pond or lagoon constructed and used for the purpose of holding wastewater;

**wastewater management system** means a system designed and operated for the purpose of collecting and managing wastewater so as to minimise any adverse impacts of the wastewater on the environment;

**watercourse** means any of the following (whether or not temporarily dry):

- (a) a river, creek or other natural watercourse (whether modified or not);
- (b) a dam or reservoir that collects water flowing in a watercourse;
- (c) a lake, wetland or other body of water through which water flows;
- (d) the Coorong;
- (e) an artificial channel;
- (f) a public stormwater disposal system,

and includes part of a watercourse;

**Water Quality Guidelines** means the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000* prepared by ANZECC and ARMCANZ, as in force at the commencement of this policy;

**waters** means waters to which this policy applies (see clause 7);

**winery or distillery** means premises used for the purposes of processing grapes or other produce to make wine or spirits other than premises used for bottling only.

- (2) For the purposes of this policy, blackwater will be taken to be **concentrated blackwater** if the level or concentration of a pollutant or characteristic specified in column 1 of the following table in respect of the blackwater exceeds the level or concentration specified in column 2 for that pollutant or characteristic:

<b>Pollutant or characteristic</b>	<b>Level or concentration</b>
suspended solids	35mg/L
biochemical oxygen demand	25mg/L
chemical oxygen demand	125mg/L
pH	between 6 and 8.5

Pollutant or characteristic	Level or concentration
enterococci	40 cells/0.1L

- (3) For the purposes of this policy, the following applies in relation to the meaning of *discharge waste or a pollutant into waters or onto land*:
- a person discharges waste or a pollutant into waters or onto land if the person causes or allows the waste or pollutant to be discharged into the waters or onto the land or fails to prevent it from entering the waters or escaping onto the land (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table);
  - waste or a pollutant will be taken to have been discharged onto land if it is discharged into a quarry or a cavity in land;
  - the discharge of waste or a pollutant into a watercourse that is temporarily dry will be regarded as the discharge of the waste or pollutant into waters.
- (4) In this policy, the expression *mandatory provision* followed by a statement as to the category of offence is to be taken to signify that contravention of the provision at the foot of which the expression appears is, for the purposes of Part 5 of the Act, an offence of the category so stated.

**Note—**

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

**4—Environmental value of waters**

- (1) For the purposes of this policy, waters have 1 or more of the following environmental values:
- aquatic ecosystems;
  - primary industries—irrigation and general water uses;
  - primary industries—livestock drinking water;
  - primary industries—aquaculture and human consumption of aquatic foods;
  - recreation and aesthetics;
  - drinking water for human consumption.
- (2) The environmental value of waters is to be determined in accordance with the Water Quality Guidelines.

**5—Activation of trigger values**

For the purposes of this policy, a trigger value for waters is activated if—

- in the case of waters with an environmental value of aquatic ecosystems—a trigger value for an indicator specified in Chapter 3 of the Water Quality Guidelines—
  - has been reached or exceeded for a chemical substance or a characteristic; or
  - in the case of a minimum level specified for a characteristic, has not been reached,

in respect of the waters when assessed against Chapter 3 and any other relevant provisions of the Water Quality Guidelines on the basis of a 95% level of protection of species; or

- (b) in the case of waters with an environmental value of primary industries—irrigation and general water uses—a trigger value for an indicator specified in Chapter 4.2 of the Water Quality Guidelines—
  - (i) has been reached or exceeded for a chemical substance or a characteristic; or
  - (ii) in the case of a minimum level specified for a characteristic, has not been reached,

in respect of the waters when assessed against Chapter 4.2 and any other relevant provisions of the Water Quality Guidelines, applying, if there are long term and short term trigger values for an indicator, the long term trigger value; or

- (c) in the case of waters with an environmental value of primary industries—livestock drinking water—a trigger value for an indicator specified in Chapter 4.3 of the Water Quality Guidelines—
  - (i) has been reached or exceeded for a chemical substance or a characteristic; or
  - (ii) in the case of a minimum level specified for a characteristic, has not been reached,

in respect of the waters when assessed against Chapter 4.3 and any other relevant provisions of the Water Quality Guidelines; or

- (d) in the case of waters with an environmental value of primary industries—aquaculture and human consumption of aquatic foods—a trigger value for an indicator specified in Chapter 4.4 of the Water Quality Guidelines—
  - (i) has been reached or exceeded for a chemical substance or a characteristic; or
  - (ii) in the case of a minimum level specified for a characteristic, has not been reached,

in respect of the waters when assessed against Chapter 4.4 and any other relevant provisions of the Water Quality Guidelines.

## 6—Waste management hierarchy

In this policy, a reference to the waste management hierarchy is a reference to an order of priority for the management of waste in which—

- (a) avoidance of the production of waste; and
- (b) minimisation of the production of waste; and
- (c) reuse of waste; and
- (d) recycling of waste; and
- (e) recovery of energy and other resources from waste; and
- (f) treatment of waste to reduce potentially degrading impacts; and

(g) disposal of waste in an environmentally sound manner, are pursued in order with, first, avoidance of the production of waste, and second, to the extent that avoidance is not reasonably practicable, minimisation of the production of waste, and third, to the extent that minimisation is not reasonably practicable, reuse of waste, and so on.

**Note—**

The waste management hierarchy is as established under the *Zero Waste SA Act 2004*.

## **7—Application of policy**

- (1) Subject to this clause, this policy applies in relation to all surface and underground waters (whether or not on or below private land) including the water within a public stormwater system or an irrigation drainage channel, but excluding—
  - (a) water within the pipes and closed tanks of a water reticulation system or salt interception scheme; and
  - (b) water within a sewage system or wastewater management system; and
  - (c) water within a closed tank constructed of or lined with material impervious to water; and
  - (d) water within a private or public swimming pool.
- (2) This policy does not apply in relation to the discharge of stormwater other than contaminated stormwater into any waters.
- (3) Except for clause 8(e), clause 8(f) (and Schedule 1) and Part 2 Division 3, this policy does not apply in relation to the ultimate discharge of stormwater from a public stormwater system into any waters by a public authority responsible for the system.
- (4) Nothing in this policy affects the operation of an environmental authorisation granted under the Act, or an authority or exemption given by or under any other Act or law, and in force immediately before 1 October 2003 (being the day of commencement of the *Environment Protection (Water Quality) Policy 2003*, revoked by this policy).

## **Part 2—Water quality measures**

**Note—**

Compliance with the measures in Divisions 1 and 2 may be enforced by the issue of environment protection orders.

### **Division 1—General environmental duty**

#### **8—General measures to prevent or minimise pollution of waters**

A person must, in taking all reasonable and practicable measures to prevent or minimise environmental harm resulting from undertaking an activity that pollutes or might pollute waters (in compliance with the general environmental duty)—

- (a) in the case of waters with an environmental value of aquatic ecosystems or primary industries—avoid activating a trigger value for the waters; and

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## Part 2—Water quality measures

Division 1—General environmental duty

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- (b) in the case of waters with an environmental value of recreation and aesthetics—have regard to the *Guidelines for Managing Risks in Recreational Water 2008* prepared by the National Health and Medical Research Council as in force from time to time; and
- (c) in the case of waters with an environmental value of drinking water for human consumption—have regard to the *Australian Drinking Water Guidelines 2004* prepared by the National Health and Medical Research Council as in force from time to time; and
- (d) apply the waste management hierarchy; and
- (e) to the extent that applicable codes or guidelines contemplate requirements that are expressed as mandatory in relation to the activity—comply with the codes or guidelines; and
- (f) to the extent that applicable codes or guidelines contemplate requirements that are not expressed as mandatory in relation to the activity—have regard to the codes or guidelines.

**Division 2—Offences****9—Class 1 pollutants**

- (1) A person must not discharge a class 1 pollutant into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Nothing in subclause (1) prevents—
  - (a) the lawful use of a pesticide or herbicide that has been manufactured for use in relation to waters provided it is used at a concentration not exceeding a maximum concentration specified by the manufacturer or by law; or
  - (b) the use by the holder of an aquaculture licence of a substance designed for therapeutic or prophylactic use for aquatic organisms in accordance with the *Aquaculture Regulations 2005*.
- (3) Subclause (1) does not apply in relation to—
  - (a) the discharge of effluent by the holder of an environmental authorisation in accordance with the authorisation; or
  - (b) the discharge of a class 1 pollutant to the extent that the pollutant may be lawfully discharged under a subsequent provision of this Division.

**10—Class 2 pollutants**

- (1) A person must not discharge a class 2 pollutant into any waters or a cavity in land.  
Mandatory provision: Category B offence.
- (2) Subclause (1) does not apply in relation to—
  - (a) dredging by the holder of an environmental authorisation in accordance with the authorisation; or

- (b) the discharge into waters of faeces from aquatic organisms by the holder of an aquaculture licence acting in accordance with the licence; or
- (c) the discharge of a class 2 pollutant to the extent that the pollutant may be lawfully discharged under a subsequent provision of this Division.

**11—Discharge limits for declared activities**

- (1) A person must not, in the course of undertaking an activity declared by amendment of this policy under clause 22, discharge a pollutant listed in the declaration into any waters, or a particular body of water described or delineated in the declaration, at a rate or concentration level that exceeds the rate or concentration level specified by the declaration in respect of that pollutant.

Mandatory provision: Category A offence.

- (2) The Authority must not grant an exemption from subclause (1) if of the opinion that to do so would activate a trigger value for any waters.

**12—Antifoulants**

- (1) A person must not use an antifoulant that contains tributyltin.

Mandatory provision: Category A offence.

- (2) A person must, in using an antifoulant, or removing an antifoulant from any surface, comply with the following provisions:
    - (a) the cleaning of the hull of a vessel or the surface of any structure that has been coated with an antifoulant, or of any equipment contaminated with antifoulant, may only be carried out—
      - (i) in dry dock; or
      - (ii) above the high water mark of any waters; or
      - (iii) below the high water mark of any waters while the tide is out to such an extent that there is no tidal water coming into contact with the vessel, structure or equipment;
    - (b) antifoulant residues—
      - (i) must not enter any waters; and
      - (ii) must not come into contact with any land that is below the high water mark of any waters; and
      - (iii) must be collected and disposed of at a waste depot that is authorised under the Act to receive such waste.
- Mandatory provision: Category B offence.
- (3) Nothing in subclause (2) prevents the use by the holder of an aquaculture licence of an antifoulant in accordance with the *Aquaculture Regulations 2005*.

**13—Waste from waste depots**

An operator of a waste depot must not discharge waste deposited or generated at the depot into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

**14—Waste from septic systems**

- (1) A person who owns or occupies premises at which a septic system is installed must ensure that waste from the septic system is not discharged into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply in relation to the discharge of waste from a septic system if the waste has been treated so as to ensure that the level or concentration of a pollutant or characteristic specified in column 1 of the following table in respect of the water does not exceed the level or concentration specified in column 2 for that pollutant or characteristic at the point at which the waste enters or is reasonably likely to enter the waters:

<b>Pollutant or characteristic</b>	<b>Level or concentration</b>
total nitrogen (as nitrogen)	5mg/L
total phosphorus (as phosphorus)	0.5mg/L
biochemical oxygen demand	10mg/L

**15—Waste from sewerage or sewage treatment systems**

- (1) An operator of a sewerage system or sewage treatment system must ensure that waste from the system is not discharged into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply in relation to the discharge of waste from a sewerage system or sewage treatment system—
- by the holder of an environmental authorisation in accordance with that authorisation; or
  - in accordance with an approval (within the meaning of the *Public and Environmental Health (Waste Control) Regulations 2010*) relating to the system.

- (3) In this clause—

**waste**, from a sewerage system or sewage treatment system, includes wastewater generated by the system.

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**16—Waste from prescribed works**

- (1) An operator of prescribed works must ensure that—
  - (a) waste generated at the premises is not discharged into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table); and
  - (b) the premises incorporate a wastewater management system; and
  - (c) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used for the prescribed works.

Mandatory provision: Category B offence.

- (2) In this clause—

*prescribed works* means any of the following:

- (a) an abattoir, slaughter house or poultry processing works;
- (b) a cattle feedlot;
- (c) composting works;
- (d) concrete batching works;
- (e) fish processing works;
- (f) a milking shed;
- (g) milk processing works;
- (h) a piggery;
- (i) a livestock saleyard;
- (j) a tannery or fellmongery;
- (k) a winery or distillery.

**17—Waste from vessels**

- (1) Subject to subclause (2), the owner, or the person in charge, of a vessel must ensure that, while the vessel is on inland or marine waters, all waste (other than greywater) produced on or brought onto the vessel is stored on the vessel in a container from which it cannot escape.

Mandatory provision: Category B offence.

- (2) Blackwater may be discharged into waters other than prescribed waters or any other inland waters from a vessel other than a prescribed vessel provided that—
  - (a) it has been macerated into a fine slurry; and
  - (b) it does not contain formaldehyde-based chemical treatments; and
  - (c) it is not discharged—
    - (i) within a harbor, marina or canal; or
    - (ii) within 3 nautical miles of any person in the waters or the area of an aquaculture lease; and

- (d) if the blackwater is concentrated blackwater—
  - (i) it is not discharged within 3 nautical miles of the mean high water mark of the coast at spring tides; and
  - (ii) the vessel is underway when the blackwater is discharged.
- (3) It will not be necessary in any proceedings for an offence against subclause (1) to prove that waste actually escaped from a container.

### 18—Wastewater lagoons

- (1) An operator of a wastewater lagoon must ensure that the contents of the lagoon do not overflow, or reach a level where it is reasonably likely that they will overflow, into any waters or onto land in a place from which they are reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply in relation to a wastewater lagoon that is used for the purposes of a public stormwater system.

### 19—Stormwater from extractive industries

An operator of an extractive industry must ensure that stormwater that has been contaminated by extracted material on the premises has had as much material removed from it as is reasonably practicable before it is discharged into any waters.

Mandatory provision: Category B offence.

## Division 3—Administration

### 20—Matters to be taken into account under Part 6 of Act

In determining any matters under Part 6 of the Act in relation to an activity or development, the Authority must—

- (a) take into account the potential of the activity or development to cause pollution of any waters through soil erosion, stormwater runoff or infiltration of pollutants through the soil; and
- (b) consider the requirements that should, in the event of an authorisation being granted, be imposed on all relevant persons for the purposes of preventing or minimising the pollution or its harmful effects; and
- (c) in imposing such requirements in relation to a building or construction activity, take into account the *Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1999* prepared by the Authority.

### 21—Exemptions

- (1) In granting an exemption to a person from a provision of this policy relating to the discharge of waste or pollutants into waters, the Authority must, in addition to any other conditions on which the exemption is granted, attach a condition that provides for a monitoring and reporting program to be carried out by the person.

- (2) The Authority may, as part of a monitoring and reporting program, require the person undertaking the program to have the program independently checked and verified at regular intervals and to make the checked and verified results available to the Authority.

## Part 3—Amendment of policy

### 22—Amendment of policy by Gazette notice under section 32 of Act

- (1) Pursuant to section 32(1)(c) of the Act, this policy may be amended by the Minister, by notice in the Gazette, so as to—
- (a) modify the environmental value of a particular body of water as determined by the Water Quality Guidelines; or
  - (b) modify the pollutants that are class 1 or class 2 pollutants; or
  - (c) declare or modify, for the purposes of clause 11, an activity, particular waters or a pollutant or rate or concentration level of a pollutant; or
  - (d) make amendments as a consequence of the amendment, revocation or substitution of an Act, code, guidelines (including the Water Quality Guidelines) or other document referred to in the policy; or
  - (e) make other amendments (including amendments of Part 1) as a consequence of an amendment referred to in a preceding paragraph.
- (2) An amendment is to be in the form of a textual amendment and, as such, a provision may be deleted from, substituted in or inserted into the policy and material may be deleted from, substituted in or inserted into a provision of the policy.
- (3) The Authority cannot make a recommendation to the Minister for an amendment referred to in this clause unless—
- (a) the proposal has been reduced to writing, clearly setting out the purpose and likely impact of and reasons for the proposed amendment; and
  - (b) there have been consultations with relevant organisations and industries and the community likely to be affected by the proposed amendment; and
  - (c) the views expressed by those consulted have been considered by the Authority and communicated to the Minister.

## Schedule 1—Codes and guidelines

Subject	Activity	Codes and guidelines
<b>Antifoulants</b>	Using antifoulant	<i>Code of Practice for Antifouling and In-water Hull Cleaning and Maintenance 1997</i> prepared by ANZECC as in force from time to time
<b>Building or construction</b>	Undertaking a building or construction activity described in the <i>Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1999</i> prepared by the Authority	<i>Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1999</i> prepared by the Authority

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## Schedule 1—Codes and guidelines

Subject	Activity	Codes and guidelines
<b>Cattle feedlot</b>	Operating a cattle feedlot	<i>Guidelines for the Establishment and Operation of Cattle Feedlots in South Australia Second Edition February 2006</i> prepared by the Authority, the Local Government Association of South Australia and Primary Industries and Resources SA as in force from time to time
<b>Fire protection systems in buildings</b>	Undertaking the construction, maintenance or management of a fire protection system	<i>Guidelines for Fire Protection Services Pipework Systems—Wastewater Removal 2003</i> prepared by the Authority
<b>MAR schemes</b>	Operating a MAR scheme	<i>Code of Practice for Aquifer Storage and Recovery 2004</i> , prepared by the Authority
<b>Milking sheds</b>	Operating a milking shed	<i>Code of Practice for Milking Shed Effluent 2003</i> prepared by the Authority
<b>Piggery</b>	Operating a piggery	<i>Australian Pork Limited National Environmental Guidelines for Piggeries Second Edition 2010</i> prepared by Australian Pork Limited
<b>Roads and public stormwater systems</b>	Undertaking by a public authority of— (a) the construction or maintenance of a public road; or (b) the management of a stormwater system or a part of such a system	<i>Stormwater Pollution Prevention Code of Practice for Local, State and Federal Government 1998</i> prepared by the Authority
<b>Septic systems</b>	Using sludge collected from a septic system	<i>South Australian Biosolids Guidelines for the Safe Handling, Reuse or Disposal of Biosolids 1997</i> prepared by the Authority
<b>Sewerage systems and sewage treatment systems</b>	Operating a sewerage system or sewage treatment system	<i>Code of Practice for Wastewater Overflow Management 2008</i> prepared by the Authority
	Reusing, or supplying for reuse, sludge collected— (a) by a community wastewater management system; or (b) from a sewage treatment system;	<i>South Australian Biosolids Guidelines for the Safe Handling, Reuse or Disposal of Biosolids 1997</i> prepared by the Authority
	Reusing, or supplying for reuse, wastewater collected— (a) by a community wastewater management system; or (b) from a sewage treatment system;	<i>Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) 2006</i> prepared by Natural Resource Management Ministerial Council, Environment Protection and Heritage Council and the Australian Health Ministers Conference as in force from time to time  <i>Code of Practice for Wastewater Overflow Management 2008</i> prepared by the Authority

Subject	Activity	Codes and guidelines
<b>Vessels and vessel facilities</b>	Operating a vessel or vessel facility	<i>Code of Practice for vessel and facility management (marine and inland waters) 2008</i> prepared by the Authority
<b>Waste depot</b>	Operating a waste depot	<i>Environmental management of landfill facilities (municipal solid waste and commercial and industrial general waste) 2007</i> prepared by the Authority
<b>Wastewater lagoons</b>	Operating, or undertaking the construction, maintenance or management, of a wastewater lagoon constructed after 31 December 2010	<i>Guidelines for the Construction of Wastewater Lagoons 2010</i> prepared by the Authority

## Schedule 2—Class 1 pollutants

Agricultural chemicals  
 Asbestos  
 Biosolids and wastewater treatment sludge  
 Brick, bitumen or concrete cutting wastewater  
 Building washwater  
 Bundwater (being untreated water collected in bunded areas)  
 Carpet or upholstery cleaning waste  
 Chemicals designed for human or animal therapeutic use  
 Chemicals listed in Schedule A of the *National strategy for the management of scheduled wastes 1992*, prepared by ANZECC, as in force from time to time  
 Cleaning agents  
 Concrete waste  
 Condensate from compressors  
 Construction and demolition waste (whether or not inert)  
 Detergents and their byproducts  
 Domestic waste (being waste produced in the course of a domestic activity)  
 Effluent  
 Engine coolant  
 Fuel dispensing area washwater  
 Hard waste (for example, vehicles, tyres, batteries, metal parts, piping, electronic equipment and municipal solid waste)  
 Hazardous waste  
 High pressure water blasting waste  
 Medical waste  
 Motor vehicle servicing or repairs waste  
 Oil, grease or lubricants  
 Paint and paint scrapings  
 Painting washwater  
 Paint stripping waste  
 Petroleum products  
 Photographic chemicals  
 Plaster, plaster waste and plaster wastewater  
 Pool backwash water  
 Pool chemicals

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Schedule 2—Class 1 pollutants

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Putrescible waste (for example, food scraps and dead animals that are putrid or likely to become putrid)  
Quarantine waste (waste that is subject to quarantine under the *Quarantine Act 1908* of the Commonwealth)  
Radioactive waste (being waste, the management or disposal of which is regulated under the *Radiation Protection and Control Act 1982* or a law of the Commonwealth)  
Roof cleaning waste  
Rubbish and litter (for example, bottles, cans, cartons, cigarette butts, food scraps, packaging and paper, glass or plastic items or materials)  
Sawdust  
Sewage  
Solvents  
Stain or varnish  
Steam cleaning waste  
Street cleaning waste  
Timber preservatives  
Washdown water from cleaning animals or animal enclosures  
Washdown water from cleaning vehicles, plant or equipment  
Washdown water from commercial or industrial premises or wharves  
Waste from grease traps

**Schedule 3—Class 2 pollutants**

Air conditioning or cooling system wastewater  
Animal faeces  
Fertilisers  
Green waste (for example, lawn clippings, leaves and prunings)  
Soil, clay, gravel or sand

**Schedule 4—Revocation of *Environment Protection (Water Quality) Policy 2003***

The *Environment Protection (Water Quality) Policy 2003* is revoked.